

**IN THE UNITED STATES DISTRICT COURT  
FOR THE WESTERN DISTRICT OF PENNSYLVANIA**

**DWAYNE HILL,**

**Plaintiff,**

**vs.**

**WARDEN RANDY IRWIN, et al.,**

**Defendants.**

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**Case No. 1:24-cv-66**

**MEMORANDUM ORDER**

In this *pro se* civil rights action, Plaintiff Dwayne Hill, a former inmate at the State Correctional Institution at Forest (“SCI-Forest”), has asserted claims under 42 U.S.C. §1983 against eleven individuals who served as DOC officials or prison medical staff at times relevant to Plaintiff’s confinement. Pending before the Court is a motion by the Defendants to dismiss certain claims in Plaintiff’s Amended Complaint, the operative pleading at this juncture. The matter has been referred to United States Magistrate Judge Maureen P. Kelly for pretrial proceedings in accordance with the Magistrate Judges Act, 28 U.S.C. §636(b)(1), and the Local Rules for Magistrate Judges.

On March 19, 2025, Judge Kelly filed a report and recommendation (“R&R”) in which she opined that the Defendants’ motion should be granted and that Plaintiff’s request for injunctive relief should be denied as moot. Plaintiff’s objections to the R&R were due on or before April 7, 2025. To date, no objections have been received by the Court.


Accordingly, upon *de novo* review of the operative complaint and documents in the case, including Defendants’ motion to dismiss and all filings relevant thereto, along with the Magistrate Judge’s Report and Recommendation, the following Order is entered:

NOW, this 16th day of May, 2025, IT IS ORDERED that Defendants' partial motion to dismiss is GRANTED as follows:

1. Plaintiff's official capacity claims for monetary damages are DISMISSED as barred by the Eleventh Amendment;
2. Plaintiff's official capacity claims for injunctive relief are DISMISSED as moot; and
3. Plaintiff's individual capacity claims against Defendants Irwin and Smith are DISMISSED for lack of personal involvement.

IT IS FURTHER ORDERED that Plaintiff's request for injunctive relief, as it relates to any individual capacity claims, is DISMISSED as moot.

IT IS FURTHER ORDERED that the Report and Recommendation of U.S. Magistrate Judge Kelly, dated March 19, 2025, ECF No. [36], is adopted as the opinion of this Court.

  
SUSAN PARADISE BAXTER  
United States District Judge